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successor by merger to BAC Home Loans Servicing,  
LP f/k/a Countrywide Home Loans Servicing. LP*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., successor by merger  
to BAC HOME LOANS SERVICING, LP FKA  
COUNTRYWIDE HOME LOANS SERVICING,  
LP,

Plaintiff,

v.

SAGE HILLS COMMUNITY ASSOCIATION;  
NEVADA ASSOCIATION SERVICES, INC.,

Defendants.

Case No.: 2:16-cv-01857-APG-PAL

**STIPULATION AND ORDER OF FINAL  
JUDGMENT CONFIRMING EXISTENCE  
AND VALIDITY OF DEED OF TRUST**

Plaintiff Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP and defendant Sage Hills Community Association, being the only parties to have appeared in this action, through their counsel of record, stipulate as follows:

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1           1.       This matter relates to real property located 11284 Emerald Pine Lane, Las Vegas, Nevada  
2 89138, APN 137-26-312-011. The property is more specifically described as:

3                   **LOT FIFTY-FIVE (55) IN BLOCK ONE (1) OF SAGE HILLS AT THE SUMMERLIN**  
4                   **VISTAS AS SHOWN BY THE MAP THEREOF ON FILE IN BOOK 104 OF PLATS,**  
5                   **PAGE 82, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY,**  
6                   **NEVADA.**

6                   **APN 137-26-312-011.**

7           2.       BANA, as servicer for Federal National Mortgage Association, is the beneficiary of record  
8 of a deed of trust that encumbers the Property and was recorded on May 27, 2005, as Instrument No.  
9 20050527-0003613, in the Official Records of Clark County, Nevada.

10          3.       On September 12, 2011, Sage Hills recorded a foreclosure deed as Instrument No.  
11 20110912-0001399 in the Official Records of Clark County, Nevada, reflecting that Sage Hills  
12 purchased the property at its foreclosure sale of the property conducted on August 5, 201. Sage Hills  
13 has not transferred its interest in the property and is still the title holder of record.

14          4.       On August 5, 2016, BANA initiated a quiet title action against Sage Hills and Nevada  
15 Association Services, Inc. in the United States District Court, District of Nevada, Case No. 2:16-cv-  
16 01857-APG-PAL.

17          5.       BANA and Sage Hills have entered a confidential settlement agreement in which they have  
18 settled all claims between them in this case. This stipulation and order applies to the matters addressed  
19 in this particular case only and has no relevance to any other matter.

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1           6.       The Deed of Trust survived and was not extinguished in any capacity by the HOA Sale.  
2 The Deed of Trust remains a valid encumbrance against the property following the recording of the  
3 HOA foreclosure deed, and Sage Hills's interest in the property is subject to the deed of trust.

4           DATED this 15<sup>th</sup> day of June, 2018.

5           **AKERMAN LLP**

**BOYACK ORME & ANTHONY**

6           /s/ Vatana Lay

/s/ Colli McKiever

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13          Attorneys for Plaintiff Bank of America, as  
14          successor by merger to BAC Home Loans  
15          Servicing, LP, f/k/a Countrywide Home  
16          Loans Servicing, LP

              Attorneys for Defendant Sage Hills Community  
              Association

**ORDER**

Based on the above stipulation between plaintiff Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP, f/k/a Countrywide Home Loans Servicing, LP and defendant Sage Hills Community Association, the Parties' agreement, and good cause appearing therefore,

**IT IS ORDERED** that the deed of trust recorded in the Official Records of Clark County, Nevada against the real property located at 11284 Emerald Pine Lane, Las Vegas, Nevada 89138, APN 137-26-312-011 on May 27, 2005, as Instrument No. 20050527-0003613, was not extinguished, impaired, or otherwise affected by the foreclosure sale of the property conducted by Sage Hills on August 5, 2011 or the recording of the HOA foreclosure deed in the Official Records of Clark County, Nevada, on September 12, 2011, as Instrument No. 20110912-0001399, reflecting that Sage Hills purchased the property at the HOA Sale. Sage Hills's ownership interest in the property is subject to the deed of trust.

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1 IT IS FURTHER ORDERED that BANA shall be entitled to record this STIPULATION AND  
2 ORDER CONFIRMING VALIDITY OF DEED OF TRUST in the Official Records of Clark County,  
3 Nevada in accordance with the rules of the Recorder's Office.

4 IT IS FURTHER ORDERED that this order constitutes the final judgment of this Court,  
5 resolving all claims in this case with prejudice, each party to bear its own fees and costs.

6 Dated: June 18, 2018.



UNITED STATES DISTRICT JUDGE

10 Respectfully submitted by:

11 **AKERMAN LLP**

12 /s/ Vatana Lay

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